

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 18-405

Judge:

Complainant:

ORDER

The Complainant alleged a superior court judge violated his right to be heard, engaged in ex parte communications, and failed to be fair and impartial.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission does not have jurisdiction to overturn, amend, or remand a judicial officer's legal rulings. The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Rules 16(a) and 23(a).

Dated: May 15, 2019

Copies of this order were distributed to all appropriate persons on May 15, 2019.

COMPLANT:

**ORDER Granting Plaintiff's Expedited Motion to Require Defendant
to Retain Counsel**

On Plaintiff filed a Motion to Require Defendant to Retain Counsel
(Expedited Consideration Requested). Plaintiff's Counsel, stated, "
" (see attachment Pltf Motion to Require Df pg
lines).
days later, on Judge issued the "
". (see attachment Order
Granting Pltf Mo to Require Df) Judge ignored the fact that there are
Defendants in Judge failed to
schedule a Hearing so that all Defendants could be heard. **Judge violated RJC 2.6 my Right to be
Heard.**
Judge failed to give defendants, appropriate time to file a Response
to Plaintiff's Motion. Per the Rules of Civil Procedure, Motions Rule 7.1(a)(3): Responsive and Reply
Memoranda. Unless a specific rule states otherwise, an opposing party must file any responsive memorandum
within days after the motion and supporting memorandum are served. The Judge erred when he gave
credence to Mr argument that the Judge could enter the Order summarily. **Judge violated RJC
1.1 compliance with the Law.**
By excluding defendants, from these communicates, Judge engaged

in ex parte communications with Plaintiff's attorney, These ex parte communications gave the plaintiff a procedural, substantive, and tactical advantage. Defendants, were not given an opportunity to respond to these ex parte communications. **Judge violated RJC 2.9 Ex Parte Communication.**

Judge action irreparably prejudiced the defendants. The defendant, was forced into hastily hiring the first attorney it could due to Judge This then led to the conflict of interest with Judge and her refusal to recuse herself due to her relationship with The defendants then had to strike Judge as a matter of right; but, Judge still refused to vacate decisions she made at the Hearing. This then resulted in the defendants having to file a Special Action. All of this happened as a result of Judge Order. **Judge violated RJC**

2.2 Impartiality and Fairness.

County Court Judges had to recuse themselves due to conflicts of interest with Plaintiff's counsel and Plaintiff's law firm. Presiding Judge had to recuse himself due to the fact that he could be called as a witness in this matter. Judges were all Judges in the original lawsuit consolidated with Judge was the Judge in when withdrew that lawsuit and filed in order to “. Mr then struck Judge in Judge has a conflict with Plaintiff's law firm, and due to the fact that she was an Associate at that law firm. Judge is former

On Presiding Judge recused himself from ruling on defendant's “ (Judge . This matter was then given to Judge to rule on the Motion. I question whether or not Judge can rule with impartiality and fairness. I believe that it is impossible for me to receive a fair trial from any Judge at the County Court, given the relationships these Judges have with Plaintiff's counsel and Plaintiff's law firm. (see attachment Judge Conflicts)